

1 UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF ARIZONA  
3

4  
5 In Re: Bard IVC Filters ) MD-15-02641-PHX-DGC  
6 Products Liability Litigation )  
7 ) Phoenix, Arizona  
8 ) May 30, 2018  
9 Doris Jones, an individual, ) 12:57 p.m.  
10 )  
11 Plaintiff, )  
12 vs. ) CV 16-00782-PHX-DGC  
13 )  
14 C.R. Bard, Inc., a New )  
15 Jersey corporation; and Bard )  
16 Peripheral Vascular, Inc., an )  
17 Arizona corporation, )  
18 )  
19 Defendants. )  
20 )

21 BEFORE: THE HONORABLE DAVID G. CAMPBELL, JUDGE

22 REPORTER'S TRANSCRIPT OF PROCEEDINGS

23 *(Jury Trial - Day 10 - P.M. Session)*  
24 *(Pages 2266 through 2381, inclusive.)*  
25

21 Official Court Reporter:  
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1 BY MR. NORTH:

2 Q. Are you familiar with this document?

3 A. Uh-huh. Yes.

4 Q. And what is it?

5 A. Surgeon general's -- it's a call to action, but it's a  
6 report on just how big a problem the pulmonary embolism is in  
7 our country.

02:18PM

8 Q. Have you reviewed this before?

9 A. I have.

10 Q. Is it available on the surgeon general's website?

02:18PM

11 A. I believe so, yes.

12 MR. NORTH: Your Honor, at this time we would offer  
13 for admission Exhibit 7411.

14 MR. O'CONNOR: Well, objection, 803.18 and lack of  
15 foundation.

02:18PM

16 THE COURT: Well, overruled on 803.18. And overruled  
17 on foundation. I believe it's admissible under 803.8.

18 MR. NORTH: Your Honor, may we publish, please?

19 THE COURT: Yes.

20 BY MR. NORTH:

02:19PM

21 Q. If we could turn to Page 9, please, looking at the first  
22 paragraph, the sentence that becomes, "Estimates."

23 A. Yes.

24 Q. Begins, "Estimates."

25 Does the FDA provide an estimated rate of DVT and

02:19PM

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1 pulmonary embolism in this country every year?

2 A. It provides the total numbers for each of those. They  
3 calculate a rate from there.

4 Q. And in the sentence above that does the FDA advise what the  
5 purpose of its call to arms is?

02:19PM

6 A. It does.

7 Q. If we could turn to Page 11, please.

8 Looking at the second paragraph, what does it say with  
9 regard to the estimated number of deaths every year from deep  
10 vein thrombosis and pulmonary embolism?

02:20PM

11 A. Some estimates suggest that there are more than breast  
12 cancer, AIDS, or motor vehicle incidences.

13 Q. If we could turn to Page 25 at Section 2, right-hand  
14 column. Right above the bolded caption.

15 MR. O'CONNOR: Excuse me. Are you talking about Bates  
16 Number 25 or the document number?

02:21PM

17 THE COURT: What page number?

18 MR. NORTH: 25.

19 MR. O'CONNOR: Which page? There's two page numbers.

20 MS. HELM: The exhibit Number 25.

02:21PM

21 MR. O'CONNOR: Okay. Thank you.

22 BY MR. NORTH:

23 Q. Does the surgeon general here discuss in this paragraph IVC  
24 filters?

25 A. It does.

02:21PM